



DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-964, A-201-838]

Seamless Refined Copper Pipe and Tube from the People's Republic of China and Mexico: Continuation of Antidumping Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: As a result of the determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty (AD) orders on seamless refined copper pipe and tube from the People's Republic of China (China) and Mexico would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing this notice of continuation of the orders.

DATES: Applicable [Insert date of publication in the *Federal Register*.]

FOR FURTHER INFORMATION CONTACT: Paola Aleman Ordaz or Thomas Martin, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4031 or (202) 482-3936, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 22, 2010, Commerce published in the *Federal Register* the AD orders on seamless refined copper pipe and tube from China and Mexico.¹ On November 1, 2021, Commerce published the notice of initiation of the sunset reviews of the *Orders*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).² Commerce conducted expedited

¹ See *Seamless Refined Copper Pipe and Tube from Mexico and the People's Republic of China: Antidumping Duty Orders and Amended Final Determination of Sales at Less Than Fair Value from Mexico*, 75 FR 71010 (November 22, 2010) (collectively, *Orders*).

² See *Initiation of Five-Year (Sunset) Review*, 86 FR 60201 (November 1, 2021).

sunset reviews of the *Orders*, pursuant to section 751(c)(3)B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2). As a result of its reviews, Commerce determined, pursuant to sections 751(c)(1) and 752(c) of the Act, that revocation of the *Orders* would likely lead to continuation or recurrence of dumping.³ Commerce, therefore, notified the ITC of the magnitude of the dumping margins likely to prevail should the *Orders* be revoked.⁴ On May 17, 2022, the ITC published its determination, pursuant to section 751(c) of the Act, that revocation of the *Orders* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁵

Scope of the *Orders*

The merchandise covered by the scope of the *Orders* are all seamless refined copper pipes and tubes, including redraw hollows, greater than or equal to 6 inches (152.4 millimeters (mm)) in length and measuring less than 12.130 inches (308.12 mm) (actual) in outside diameter (OD), regardless of wall thickness, bore (*e.g.*, smooth, enhanced with inner grooves or ridges), manufacturing process (*e.g.*, hot finished, cold-drawn, annealed), outer surface (*e.g.*, plain or enhanced with grooves, ridges, fins, or gills), end finish (*e.g.*, plain end, swaged end, flared end, expanded end, crimped end, threaded), coating (*e.g.*, plastic, paint), insulation, attachments (*e.g.*, plain, capped, plugged, with compression or other fitting), or physical configuration (*e.g.*, straight, coiled, bent, wound on spools).

The scope of the *Orders* covers, but it is not limited to, seamless refined copper pipe and tube produced or comparable to the American Society for Testing and Materials (ASTM) ASTM-B42, ASTM-B68, ASTM-B75, ASTM-B88, ASTM-B88M, ASTM-B188, ASTM-B251, ASTM-B251M, ASTM-B280, ASTM-B302, ASTM-B306, ASTM-B359, ASTM-B743, ASTM-B819, and ASTM-B903 specifications and meeting the physical parameters described therein.

³ See *Seamless Refined Copper Pipe and Tube from the People's Republic of China and Mexico: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders*, 87 FR 12079 (March 3, 2022).

⁴ *Id.*

⁵ See *Seamless Refined Copper Pipe and Tube from China and Mexico*, 87 FR 29877 (May 17, 2022).

Also included within the scope of the *Orders* are all sets of covered products, including “line sets” of seamless refined copper tubes (with or without fitting or insulation) suitable for connecting an outdoor air conditioner or heat pump to an indoor evaporator unit. The phrase “all sets of covered products” denotes any combination of items put up for sale that is comprised of merchandise subject to the scope.

“Refined copper” is defined as: (1) Metal containing at least 99.85 percent by weight of copper; or (2) metal containing at least 97.5 percent by weight of copper, provided that the content by weight of any other element does not exceed the following limits:

ELEMENT	LIMITING CONTENT PRECENT BY WEIGHT
Ag – Silver	0.25
As – Arsenic	0.5
Cd – Cadmium	1.3
Cr – Chromium	1.4
Mg – Magnesium	0.8
Pb – Lead	1.5
S – Sulfur	0.7
Sn – Tin	0.8
Te – Tellurium	0.8
Zn – Zinc	1.0
Zr – Zirconium	0.3
Other elements (each)	0.3

Excluded from the scope of the *Orders* are all seamless circular hollows of refined copper less than 12 inches in length whose OD (actual) exceeds its length. The products subject to the *Orders* are currently classifiable under subheadings 7411.10.1030 and 7411.10.1090 of the Harmonized Tariff Schedule of the United States (HTSUS). Products subject to the *Orders* may also enter under HTSUS subheadings 7407.10.1500, 7419.80.5050, 7419.99.5050, 8415.90.8065, and 8415.90.8085. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the *Orders* is dispositive.

Continuation of the *Orders*

As a result of the determinations by Commerce and the ITC that revocation of the *Orders* would likely lead to continuation or recurrence of dumping and material injury to an industry in

the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the *Orders*. U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the orders will be the date of publication in the *Federal Register* of this notice of continuation. Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next sunset review of the *Orders* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

Notification to Interested Parties

This five-year sunset review and this notice are in accordance with sections 751(c) and 751(d)(2) of the Act and this notice is published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: May 17, 2022.

Lisa W. Wang,
Assistant Secretary
for Enforcement and Compliance.

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